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OF ORIGINAL FILED
Los Angeles Superior Court

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Sherri R. Carter, Executive Officer/Clerk

By Shaunya Bolden, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES-CENTRAL DISTRICT

JANE DOE, an individual,

Plaintiff,

vs.

CALIFORNIA INSTITUTE OF
TECHNOLOGY, a California Corporation;
[REDACTED] an individual; KEVIN
GILMARTIN, an individual; and DOES 1
through 100, inclusive,

Defendants.

Case No.

18STCV03523

COMPLAINT FOR:

1. VIOLATION OF 20 U.S.C. §1681 (TITLE IX)
2. ASSAULT
3. BATTERY
4. SEXUAL BATTERY
5. NEGLIGENCE
6. VIOLATION OF CIVIL CODE §52.4, *ET SEQ.*
7. VIOLATION OF CIVIL CODE §52.1, *ET SEQ.*
8. VIOLATION OF CIVIL CODE §51.7, *ET. SEQ.*
9. FALSE IMPRISONMENT
10. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
11. NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

12. **VIOLATION OF
BUSINESS & PROFESSIONS
CODE §17200, ET. SEQ.**

DEMAND FOR JURY TRIAL

INTRODUCTORY ALLEGATIONS

1. At all relevant times mentioned herein, Plaintiff JANE DOE ("Plaintiff") was female and an individual residing in the State of California, County of Los Angeles. The identity of Plaintiff is not disclosed in this Complaint in order to protect her identity, as Plaintiff was a victim of a sex crime. The identity of Plaintiff has been made known to Defendants by separate communication.

2. Plaintiff is informed, believes and thereon alleges that at all relevant times mentioned herein, Defendant CALIFORNIA INSTITUTE OF TECHNOLOGY ("Caltech") is an educational institution located at 1200 E. California Blvd., Pasadena, CA 91125 with approximately 1,000 undergraduate students.

3. Plaintiff is informed, believes and thereon alleges that at all relevant times mentioned herein [REDACTED] was an individual residing in the State of California, County of Los Angeles, and a student at Caltech.

4. Plaintiff is informed, believes and thereon alleges that at all relevant times mentioned herein KEVIN GILMARTIN ("Gilmartin") was an individual residing in the State of California, County of Los Angeles, and the Dean of Undergraduate Students at Caltech.

5. Plaintiff is ignorant of the true names and capacities of Defendants sued herein as DOES 1 through 100 inclusive, whether individual, corporate or otherwise and therefore sues these Defendants by such fictitious names. Plaintiff will amend this Complaint to allege their true names and capacities when they have been ascertained.

6. Plaintiff is informed, believes and thereon alleges that each Defendant sued herein, inclusive, was acting as the agent or employee of each of the other Defendants, and in doing the acts alleged herein, was acting within the course and scope of such agency and/or employment, and/or aided, abetted, cooperated with, and/or conspired with one another to do the acts alleged herein.

FACTS COMMON TO ALL CAUSES OF ACTION

7. The allegations set forth in paragraphs 1 through 6 are incorporated herein by reference.

8. Plaintiff is a 20 year old Asian American female who at all relevant times was an undergraduate student at Caltech. To date, Plaintiff is a student at Caltech. Prior to the subject incident, Plaintiff was a flourishing young lady, who against all odds, managed to get accepted to numerous Ivy League schools such as Princeton, Yale and Cornell right out of high school and with full scholarships. In fact Plaintiff was accepted at all schools to which she applied. Plaintiff chose to attend Caltech because she wanted to major in planetary sciences and had big dreams for her future career in the sciences. Plaintiff had excelled in sports and academics her entire life. Sadly, as a result of Defendants' illegal conduct alleged herein, Plaintiff's life has profoundly changed for the worst and will never be the same again.

9. Defendant [REDACTED] is a Caucasian 21 year old male and at all relevant times was an undergraduate student at Caltech. To date, [REDACTED] is a student at Caltech and at all relevant times was a member of the [REDACTED].

10. Defendant Gilmartin at all relevant times was the Dean of Undergraduate Students at Caltech and was in charge of overseeing Caltech's purported Title IX investigation at issue in this case.

11. This is a case involving the intentional coercion, false imprisonment, sexual assault and rape of Plaintiff, on or about August 17, 2017 in a dormitory at Caltech at the hands of [REDACTED] the subsequent botched Title IX purported "investigation" conducted by Caltech and the hostile educational environment created by Caltech which, to date, continues to exist.

12. It is notable that Caltech is a very small school, with less than 1,000 undergraduate students. Nonetheless, in 2016 alone, there were 11 *reported* rapes on Caltech's campus (9 in the residential facilities) and 11 *reported* incidents of dating violence (9 in the residential facilities). It is widely known that Caltech has a reputation for promoting and enabling a "rape culture" to exist on campus; so much so that on or about 2016, concerned Caltech students protested at Caltech and posted flyers around campus and in the dorms demanding that the school remedy this issue and take

1 acts of sexual violence seriously. Similarly, Caltech has a history of failing to support survivors of
2 sexual violence, for victim blaming, for brushing under the rug incidents of sexual violence on
3 campus and for not properly conducting Title IX investigations. Indeed, Gilmartin has also been
4 publicly criticized for same. Caltech has a documented history of failing to comply with Title IX and
5 its own policies as it relates to investigations of sexual assault and rape on campus.

6 13. In addition to receiving federal funding, Caltech receives and relies upon millions of
7 dollars a year in donations. By way of example, in 2017, the founders of Panda Express donated \$30
8 million dollars to Caltech. In 2016, a Chinese billionaire donated \$115 million dollars to Caltech. In
9 2001, a couple donated \$600 million to Caltech. As such, Caltech and Gilmartin at all relevant times
10 had and continue to have a paramount financial interest in protecting the reputation and commercial
11 viability of the institution.

12 14. On or about August 2017, Plaintiff and her boyfriend had broken up, and this was
13 understandably very difficult for her. Plaintiff was particularly vulnerable at this time. [REDACTED] who
14 knew of this breakup and knew that Plaintiff was very sad about it, invited Plaintiff to a dorm room
15 on campus for what she was told would be a gathering of friends. This was the beginning of
16 [REDACTED]'s plan and scheme to deceive and coerce Plaintiff under false pretenses, get her drunk to the
17 point of blacking out and raping her.

18 15. Upon Plaintiff's arrival to the dorm room, (where approximately seven other students
19 were present) [REDACTED] immediately began encouraging and pressuring Plaintiff to drink alcohol
20 because he claimed "alcohol healed a broken heart." Plaintiff was drinking water and stated to
21 [REDACTED] that she did not wish to drink alcohol, yet [REDACTED] was relentless in pressuring Plaintiff to
22 drink alcohol, all the while telling her it would make her "feel better" and would help her "not be so
23 sad." At this time, [REDACTED] prepared a drink for Plaintiff, which she accepted (and which Plaintiff
24 later was informed, believes and thereon alleges contained as much alcohol as 4.5 drinks). As
25 Plaintiff was slowly sipping the drink, [REDACTED] began shoving the cup in Plaintiff's face telling her to
26 "drink up," and to "hurry up." [REDACTED] proceeded to tell Plaintiff that he had helped another girl with
27 a difficult breakup and could do the same for her, but that she needed to drink the alcohol first.
28

1 16. A short time later, when one of the other students in the dorm room fell asleep,
2 [REDACTED] suggested to Plaintiff that they go to another dorm room a few doors down the hall, telling
3 her he had some "information" regarding Plaintiff's ex-boyfriend that he wanted to share with her.
4 [REDACTED] made this representation all the while knowing that it was false and he said it with the intent
5 to deceive Plaintiff so that he could somehow lure her to the other room where they would be alone
6 so that he could rape her. In reality, [REDACTED] had no such information about Plaintiff's ex-boyfriend
7 and [REDACTED] knew that Plaintiff was particularly vulnerable and was beginning to become affected by
8 the alcohol.

9 17. Once in the other dorm room, [REDACTED] and Plaintiff were alone. [REDACTED] provided
10 Plaintiff with yet another drink that he had prepared in the prior dorm room (again containing what
11 Plaintiff is informed, believes and thereon alleges contained as much alcohol as 4.5 drinks) and
12 continued to pressure her to drink. In furtherance of his scheme, [REDACTED] persisted to lie to Plaintiff,
13 assuring her that he has some information to share with her about her ex and she would really want
14 to know about it. At this time, Plaintiff began feeling increasingly uncomfortable, increasingly
15 intoxicated and increasingly dizzy. Plaintiff decided she wanted to leave and thus attempted to walk
16 out of the dorm room. [REDACTED] immediately blocked the door with his body and spread his arms out,
17 preventing Plaintiff from leaving. [REDACTED] then pushed Plaintiff away from the door so that she could
18 not leave and Plaintiff felt that she could not leave.

19 18. [REDACTED] then continued to bait Plaintiff with the supposed information he had about
20 her ex, but stated that he would not tell her until she completely finished her second drink.

21 19. [REDACTED] then proceeded to lie down on the bed and told Plaintiff to lie down and
22 "cuddle" with him. Plaintiff said "no" and advised [REDACTED] that she was not feeling well due to the
23 effects of the alcohol. [REDACTED] again persisted and told Plaintiff to lie down on the bed until she felt
24 better and "not to worry." [REDACTED] said he would turn his back to her to make her feel more
25 comfortable. [REDACTED] told Plaintiff that if she complied, he would finally tell her the information he
26 supposedly had. Plaintiff complied and at this time, [REDACTED] grabbed Plaintiff's face and forcibly
27 kissed her, without her consent. Plaintiff tried to resist but at this point felt so intoxicated that she
28 could barely move. Plaintiff was feeling dizzy, weak, disoriented and as if she was losing track of her

1 surroundings. At this point [REDACTED] forcibly removed Plaintiff's top, without her consent. Plaintiff
2 again tried to resist and tried to push [REDACTED] off of her, but could not as she did not have the
3 strength. [REDACTED] then proceeded to tell Plaintiff that her ex boyfriend had cheated on her (which
4 Plaintiff later found out was wholly untrue) and that he would tell her with whom. [REDACTED] then
5 began to take off Plaintiff's pants. Plaintiff attempted to hold her pants up, as she was repeatedly
6 saying "no" and "stop," but again Plaintiff did not have the strength or ability to stop him as she was
7 fading in and out of consciousness. [REDACTED] next forcibly and without her consent, penetrated
8 Plaintiff's vagina with his fingers, performed oral sex on her and then raped her. All the while
9 Plaintiff was in tears, going in and out of consciousness and was in physical pain.

10 20. When the rape was over Plaintiff got up and tried to leave the room, at which point
11 [REDACTED] again blocked the door with his body preventing her from leaving. [REDACTED] blocked the door
12 for a few minutes until he finally moved out of the way and Plaintiff was able to leave.

13 21. It was now approximately 2:30 a.m. Plaintiff was in pain, fear and in shock. Plaintiff
14 called her mother and asked to be picked up from Caltech. Plaintiff's mother describes Plaintiff as
15 being ghost white, crying and silent the whole ride to her mother's home. Plaintiff got into bed and
16 cried the entire night. The next day [REDACTED] sent Plaintiff a text message apologizing.

17 22. The next day, Plaintiff went to the counseling center at Caltech and reported the rape.
18 *Shockingly, no one at Caltech reported the rape to the police nor did Caltech advise Plaintiff to do*
19 *so or advise her that she had a right to do so.* Despite Plaintiff's reporting of the rape, [REDACTED] was
20 still permitted by Caltech to remain on campus. Caltech did not take any steps to have [REDACTED]
21 removed, even for a short period of time and pending a preliminary investigation into Plaintiff's
22 allegations. This was so despite Plaintiff's protestations to Caltech that she felt scared and unsafe
23 having to be and live on campus with [REDACTED] there. As such, and as a result of Caltech's conduct,
24 Plaintiff was forced to live in fear day in and day out for the last year (and to date), going to school
25 and living on a small campus with her accused rapist, which has only added to her emotional
26 distress.

27 23. Caltech began its purported Title IX investigation into Plaintiff's allegations. At the
28 outset, [REDACTED] changed his story as to what had occurred at least three times. *Two months* after being

1 notified of the rape claim against him by Plaintiff and two months into the investigation, [REDACTED]
2 suddenly and conveniently decided to file a claim with Caltech against Plaintiff, curiously alleging
3 that on the night in question, it was Plaintiff that had engaged in sexual relations with him while he
4 was intoxicated/incapacitated and without his consent.

5 24. Not only did Caltech wholly fail to comply with Title IX at every juncture as it related
6 to their purported investigation, they failed to comply with their own policies and procedures for the
7 investigation of on campus sexual assaults and rapes. Perhaps one of the most egregious violations of
8 law and Caltech policy was Caltech questioning Plaintiff, on at least three occasions, about
9 Plaintiff's sexual conduct with her ex boyfriend and with other men. Shockingly, Caltech also
10 questioned [REDACTED]'s girlfriend and impermissibly asked her questions about her sexual conduct with
11 [REDACTED]. [REDACTED]'s girlfriend stated to Caltech that [REDACTED] never performed oral sex upon her.
12 Caltech proceeded to use that statement to conclude that Plaintiff's allegation that [REDACTED] performed
13 oral sex upon her without her consent was untrue.

14 25. Caltech engaged in a pattern and practice of repeatedly of re-victimizing Plaintiff by
15 intimidating her, accusing her of lying and blaming her for what had occurred, all in attempts to
16 silence Plaintiff and force her to drop her claims. Caltech treated [REDACTED] differently and more
17 favorably than Plaintiff the entire time it conducted its purported investigation. Not only did Caltech
18 impermissibly ask Plaintiff questions about her sex life with other men (violations of Caltech policy
19 and Title IX), she was repeatedly accused of lying, she was told by the investigators that she is not
20 "believable," she was victim blamed, she was asked accusatory "questions" and questions that had
21 no relation whatsoever to the investigation. Caltech did not interview all of the witnesses Plaintiff
22 identified for them. Moreover, Plaintiff was not provided with equal access to her file or the Title IX
23 documents, despite her numerous requests. Caltech engaged in this conduct and treated Plaintiff this
24 way in part due to her gender.

25 26. Caltech put Plaintiff through an almost one year "investigation" (in violation of
26 Caltech's own policy permitting 60 days for such an investigation) which was anything but a search
27 for the truth and everything about protecting itself, its reputation and financial interests and to protect
28 the male perpetrator, [REDACTED]. Critically, Caltech did not ever retain independent investigators.

1 Rather, Caltech utilized two clearly untrained and ill equipped Caltech professors to investigate this
2 rape case.

3 27. Rather than being permitted to review the investigatory documents as [REDACTED] was
4 and as permitted by Caltech's own policy, Plaintiff was summoned to Gilmartin's office and was
5 told to come by herself. Upon her arrival to Gilmartin's office, Gilmartin, an attempt to further
6 intimidate Plaintiff, told her that he would "read" the documents to her rather than allow her to read
7 them herself. Plaintiff was shocked and asked once again that she be permitted to read the documents
8 herself per Caltech policy and as [REDACTED] was permitted to do. Gilmartin refused and proceeded to
9 read to Plaintiff Caltech's notes on the purported investigation, which blamed Plaintiff for what had
10 occurred, and painted Plaintiff out to be a liar. Plaintiff felt humiliated, intimidated, scared and re-
11 victimized by Gilmartin's actions.

12 28. Caltech Title IX coordinator Felicia Hunt even attempted to bribe Plaintiff in an
13 effort to silence her and in hopes of getting her to drop her rape claim by offering to take Plaintiff
14 shopping for Lululemon brand clothing "on her dime." Ms. Hunt also made repeated
15 misrepresentations to Plaintiff about the alleged investigation in efforts to mislead her and keep her
16 at bay.

17 29. Upon completion of their purported "investigation," Caltech presented Plaintiff and
18 [REDACTED] with a "Remedy Based Resolution" that they were both asked to sign. Evidencing the utter
19 absurdity, ridiculousness and clear illegality of the "investigation" Caltech stated in writing that they
20 believed Plaintiff did not consent to the kissing, but did consent to the intercourse with [REDACTED]
21 and that Plaintiff violated Caltech policy by having sexual intercourse with [REDACTED] while he was
22 "incapacitated" and could not consent. It goes without saying that such an act would be
23 physiologically impossible. Caltech stated the above even though Caltech concluded that Plaintiff
24 was coerced and manipulated by [REDACTED] and was intoxicated during the incident; this means as a
25 matter of law Plaintiff herself could not even consent to any sexual activities.

26 30. In furtherance of their intimidation of Plaintiff, Caltech and Gilmartin advised her that
27 if she did not sign the "Remedy Based Resolution," she would not be allowed to live in the dorm of
28 her choice, where Plaintiff had her support system and friends. Plaintiff was also advised by Caltech

1 and Gilmartin that if she did not sign the "Remedy Based Resolution" by the next day, that Gilmartin
2 would issue a formal finding where Plaintiff would be held responsible for violations of Caltech
3 policy, be sanctioned and that the policy violations and sanctions would become permanently part of
4 Plaintiff's educational record. Caltech wanted both parties to accept "a share of responsibility" for
5 what happened.

6 31. It was clear Caltech's only intent was to protect itself from liability, to protect its
7 reputation and financial interests and protect [REDACTED], a male and one of their "star" athletes.

8 32. Plaintiff is informed and believes and thereon alleges that at all times during the
9 Caltech "investigation," [REDACTED] was represented by an attorney. Plaintiff was not represented by an
10 attorney.

11 33. As a proximate result of Defendants' conduct, Plaintiff has suffered and continues to
12 suffer humiliation, emotional distress, and mental and physical pain and anguish, all to her damage
13 in a sum according to proof.

14 34. As a proximate result of Defendants' conduct, Plaintiff has been required to obtain
15 medical and psychological care, has been diagnosed with numerous mental health conditions, has
16 been prescribed medications and will likely require medical and psychological care for the rest of her
17 life.

18 **FIRST CAUSE OF ACTION: VIOLATION OF TITLE IX (20 U.S.C. §1681(a))**

19 **(By Plaintiff against Defendants Caltech and Gilmartin)**

20 35. The allegations set forth in paragraphs 1 through 34 are incorporated herein by
21 reference.

22 36. Plaintiff is informed, believes and otherwise alleges that Caltech is vicariously liable
23 for Gilmartin's actions under the principles of respondeat superior, as alleged herein and otherwise
24 had advance knowledge that Gilmartin, acting as the alter of Caltech, would engage in this
25 despicable conduct and by its actions and inactions ratified, authorized and condoned this unlawful
26 behavior.

27 37. Defendants' actions and omissions perpetrated against Plaintiff amounted to
28 unlawful sexual harassment and discrimination on the basis of gender.

1 38. Defendants created and/or subjected Plaintiff to a hostile educational environment in
2 violation of Title IX of the Education Amendments, 1972, 20 U.S.C. § 1681(a), as Plaintiff: was a
3 member of a protected class; was subjected to forcible rape and sexual assault on campus by
4 [REDACTED], a student at Caltech; was subjected to this unlawful conduct based upon her sex; and was
5 subjected to a hostile educational environment created by Defendants' acts and omissions.

6 39. Defendants' actions and omissions constitute deliberate indifference and created a
7 hostile educational environment for its female students, including Plaintiff. Defendants had actual
8 knowledge of the subject rape and the harassment Plaintiff endured was so severe and pervasive and
9 objectively offensive that it deprived Plaintiff access to educational opportunities or benefits
10 provided by the school.

11 40. Before the subject rape, Defendants recognized or should have recognized that
12 students, including [REDACTED] were committing and would commit rapes on campus and/or Defendants
13 failed to enact and/or disseminate and/or implement proper or adequate policies to discover, prohibit
14 or remedy the kind of harassment and discrimination that Plaintiff suffered. This failure included,
15 without limitation, non-existent or inadequate customs, policies or procedures for the recognition,
16 reporting, investigation and correction of unlawful discrimination and harassment.

17 41. Defendants engaged in a pattern and practice of behavior designed to discourage and
18 dissuade students who have been sexually assaulted and/or raped from seeking prosecution and
19 protection and from seeking to have sexual assaults and rapes from being fully investigated. This
20 policy and/or practice also constitutes disparate treatment of females and had a disparate impact on
21 Defendants' female student population, including Plaintiff.

22 42. As a proximate result of Defendants' deliberate indifference and conduct, Plaintiff has
23 suffered and continues to suffer loss of educational opportunities and/or benefits, humiliation,
24 emotional distress, and mental and physical pain and anguish, all to her damage in a sum according
25 to proof.

26 43. Defendants' conduct as described above was willful, despicable, knowing, and
27 intentional. Accordingly, Plaintiff seeks an award of punitive and exemplary damages in an amount
28 according to proof.

1 44. Plaintiff has incurred and continues to incur legal expenses and attorney fees. Plaintiff
2 is presently unaware of the precise amount of these expenses and fees and prays leave of court to
3 amend this complaint when the amounts are more fully known.

4 **SECOND CAUSE OF ACTION: ASSAULT**

5 **(By Plaintiff against All Defendants)**

6 45. The allegations set forth in paragraphs 1 through 44 are incorporated herein by
7 reference.

8 46. Defendant [REDACTED] acted, intending to cause harmful or offensive contact upon
9 Plaintiff.

10 47. Plaintiff reasonably believed that she was about to be touched in a harmful and
11 offensive manner.

12 48. It reasonably appeared to Plaintiff that Defendant [REDACTED] was about to carry out the
13 threat.

14 49. Plaintiff did not consent to Defendant [REDACTED] conduct.

15 50. Plaintiff was harmed and Defendant [REDACTED]'s conduct was a substantial factor in
16 causing Plaintiff's harm.

17 51. As a proximate result of Defendant [REDACTED]'s conduct, Plaintiff has suffered and
18 continues to suffer humiliation, emotional distress, and mental and physical pain and anguish, all to
19 her damage in a sum according to proof.

20 52. Defendant's conduct as described above was willful, despicable, knowing, and
21 intentional. Accordingly, Plaintiff seeks an award of punitive and exemplary damages in an amount
22 according to proof.

23 53. Plaintiff has incurred and continues to incur legal expenses and attorney fees. Plaintiff
24 is presently unaware of the precise amount of these expenses and fees and prays leave of court to
25 amend this complaint when the amounts are more fully known.

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THIRD CAUSE OF ACTION: BATTERY

(By Plaintiff against All Defendants)

54. The allegations set forth in paragraphs 1 through 53 are incorporated herein by reference.

55. Defendant [REDACTED] forcibly touched Plaintiff's person without Plaintiff's consent.

56. Defendant did these acts voluntarily, intentionally, willfully, wantonly, maliciously, negligently and without proper consent. The actions of Defendant were intentional and/or reckless and/or negligent and/or done in conscious disregard of Plaintiff's rights. The actions of Defendant were harmful and offensive and a reasonable person in Plaintiff's situation would have been offended by this conduct. The actions of Defendant were the cause of injury and damage to Plaintiff.

57. As a direct and proximate result of Defendant's conduct, Plaintiff sustained harmful and offensive contact, which led to her damages.

58. The conduct of Defendant was done intentionally, recklessly, with fraud, oppression and malice.

59. As a proximate result of Defendant's conduct, Plaintiff has suffered and continues to suffer humiliation, emotional distress, and mental and physical pain and anguish, all to her damage in a sum according to proof.

60. Defendant's conduct as described above was willful, despicable, knowing, and intentional. Accordingly, Plaintiff seeks an award of punitive and exemplary damages in an amount according to proof.

61. Plaintiff has incurred and continues to incur legal expenses and attorney fees. Plaintiff is presently unaware of the precise amount of these expenses and fees and prays leave of court to amend this complaint when the amounts are more fully known.

FOURTH CAUSE OF ACTION: SEXUAL BATTERY

(By Plaintiff against All Defendants)

62. The allegations set forth in Paragraphs 1 through 61 are incorporated herein by reference.

1 63. Defendant [REDACTED] intended to cause harmful and offensive contact with Plaintiff's
2 groin, vagina, mouth, lips and breasts, and a sexually offensive contact with Plaintiff resulted.

3 64. Defendant intended to cause a harmful and offensive contact with Plaintiff by use of
4 his sexual organ, penis, groin, lips, tongue and mouth, and a sexually offensive contact with Plaintiff
5 resulted.

6 65. Defendant caused an imminent fear of harmful and offensive contact with Plaintiff
7 and Plaintiff's groin, vagina, mouth, lips and breasts, by use of his sexual organ, penis, groin, lips,
8 tongue and mouth, and a sexually offensive contact with Plaintiff resulted.

9 66. Plaintiff did not consent to the touching.

10 67. Plaintiff was harmed and offended by Defendant's conduct.

11 68. As a proximate result of Defendant's conduct, Plaintiff has suffered and continues to
12 suffer humiliation, emotional distress, and mental and physical pain and anguish, all to her damage
13 in a sum according to proof.

14 69. Defendant's conduct as described above was willful, despicable, knowing, and
15 intentional. Accordingly, Plaintiff seeks an award of punitive and exemplary damages in an amount
16 according to proof.

17 70. Plaintiff has incurred and continues to incur legal expenses and attorney fees. Plaintiff
18 is presently unaware of the precise amount of these expenses and fees and prays leave of court to
19 amend this complaint when the amounts are more fully known.

20 **FIFTH CAUSE OF ACTION: NEGLIGENCE**

21 **(By Plaintiff against All Defendants)**

22 71. The allegations set forth in paragraphs 1 through 70 are incorporated herein by
23 reference.

24 72. At all relevant times herein, Defendants owed a duty of care to Plaintiff.

25 73. Defendants breached their duty to Plaintiff.

26 74. Defendants' conduct fell below the standard of care, violated state civil and criminal
27 laws, and proximately caused injuries to Plaintiff.

SEVENTH CAUSE OF ACTION:

VIOLATION OF CIVIL CODE §52.1, ET SEQ.

(By Plaintiff against All Defendants)

84. The allegations set forth in Paragraphs 1 through 83 are incorporated herein by reference.

85. Defendant [REDACTED] acted violently against Plaintiff to prevent her from exercising her constitutional rights.

86. As a proximate result of Defendant [REDACTED]'s conduct, Plaintiff has suffered and continues to suffer humiliation, emotional distress, and mental and physical pain and anguish, all to her damage in a sum according to proof.

87. Defendant [REDACTED]'s conduct was a substantial factor in causing Plaintiff's harm.

88. Defendant [REDACTED]'s conduct as described above was willful, despicable, knowing, and intentional. Accordingly, Plaintiff seeks an award of punitive and exemplary damages in an amount according to proof.

89. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees. Plaintiff is presently unaware of the precise amount of these expenses and fees and prays leave of court to amend this complaint when the amounts are more fully known.

EIGHTH CAUSE OF ACTION: VIOLATION OF CIVIL CODE §51.7, ET SEQ.

(By Plaintiff against All Defendants)

90. The allegations set forth in Paragraphs 1 through 89 are incorporated herein by reference.

91. Defendant [REDACTED] committed a violent act against Plaintiff.

92. A substantial motivating reason for Defendant [REDACTED]'s conduct was Plaintiff's gender.

93. As a proximate result of Defendant [REDACTED]'s conduct, Plaintiff has suffered and continues to suffer humiliation, emotional distress, and mental and physical pain and anguish, all to her damage in a sum according to proof.

94. Defendant [REDACTED]'s conduct was a substantial factor in causing Plaintiff's harm.

1 95. Defendant [REDACTED]'s conduct as described above was willful, despicable, knowing,
2 and intentional. Accordingly, Plaintiff seeks an award of punitive and exemplary damages in an
3 amount according to proof.

4 96. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
5 Plaintiff is presently unaware of the precise amount of these expenses and fees and prays leave of
6 court to amend this complaint when the amounts are more fully known.

7 **NINTH CAUSE OF ACTION: FALSE IMPRISONMENT**

8 **(By Plaintiff against All Defendants)**

9 97. The allegations set forth in Paragraphs 1 through 96 are re-alleged and incorporated
10 herein by reference.

11 98. Defendants, as described above, non-consensually and intentionally confined
12 Plaintiff.

13 99. Defendants did not have the lawful privilege to confine Plaintiff.

14 100. Plaintiff was confined for a period of time.

15 101. As a proximate result of Defendants' conduct, Plaintiff has suffered and continues to
16 suffer humiliation, emotional distress, and mental and physical pain and anguish, all to her damage
17 in a sum according to proof.

18 102. Defendants' conduct as described above was willful, despicable, knowing, and
19 intentional. Accordingly, Plaintiff seeks an award of punitive and exemplary damages in an amount
20 according to proof.

21 103. Plaintiff has incurred and continues to incur legal expenses and attorney fees. Plaintiff
22 is presently unaware of the precise amount of these expenses and fees and prays leave of court to
23 amend this complaint when the amounts are more fully known.

24 **TENTH CAUSE OF ACTION:**

25 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

26 **(By Plaintiff against All Defendants)**

27 104. The allegations set forth in Paragraphs 1 through 103 are re-alleged and incorporated
28 herein by reference.

1 105. Defendants engaged in offensive, deliberate and intentional acts of misconduct and
2 criminal acts against Plaintiff and knew that said conduct would cause or was likely to cause Plaintiff
3 severe emotional distress.

4 106. The aforesaid conduct of the Defendants was willful, intentional, wanton, malicious,
5 oppressive, and despicable, and done with a conscious disregard of Plaintiff's rights and for the
6 purpose of deliberately causing Plaintiff to suffer humiliation, mental anguish, emotional distress, as
7 well as pecuniary loss and financial devastation. Defendants were aware that Plaintiff was
8 particularly sensitive to said conduct, and that his conduct would cause or was likely to cause Plain-
9 tiff emotional distress. Plaintiff is therefore entitled to punitive damages against Defendants in an
10 amount appropriate to punish or set an example of said Defendants.

11 107. As a proximate result of the aforementioned acts, Plaintiff suffered emotional distress,
12 including but not limited to humiliation, embarrassment and mental anguish, all to her general
13 damage and in an amount to be determined according to proof.

14 108. Plaintiff has incurred and continues to incur legal expenses and attorney fees. Plaintiff
15 is presently unaware of the precise amount of these expenses and fees and prays leave of court to
16 amend this complaint when the amounts are more fully known.

17 **ELEVENTH CAUSE OF ACTION:**

18 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

19 **(By Plaintiff against All Defendants)**

20 109. The allegations set forth in paragraphs 1 through 108 are incorporated herein by
21 reference.

22 110. Defendants took actions which were so extreme and outrageous as to cause serious
23 emotional distress to Plaintiff.

24 111. Plaintiff suffered physical and emotional injuries which were the direct result of
25 Defendants' actions and were proximately caused by the conduct of Defendants.

26 112. Defendants' actions evidenced a negligent disregard of Plaintiff's emotional well
27 being which led to the injuries suffered by Plaintiff.

28 113. The behavior of Defendants, based upon their ongoing duty to Plaintiff is

1 extreme and outrageous.

2 **TWELFTH CAUSE OF ACTION:**

3 **VIOLATION OF BUSINESS & PROFESSIONS CODE § 117200, ET SEQ.**

4 **(By Plaintiff against All Defendants)**

5 114. The allegations set forth in paragraphs 1 through 113 are incorporated herein by
6 reference.

7 115. Plaintiff brings this action on her own behalf, on behalf of other members of the
8 public similarly situated.

9 116. Defendants have engaged in, and Plaintiff is informed, believes and thereon alleges
10 that Defendants continues to engage in, a pattern and practice of unlawful, illegal and criminal
11 conduct. Therefore Defendants have engaged in unlawful, unfair and/or fraudulent conduct within
12 the meaning of California Business & Professions Code §§17200, et seq. entitling Plaintiff to an
13 order requiring Defendants to pay restitution for moneys wrongfully obtained through Defendants'
14 illegal business practices and to injunctive relief barring Defendants' above-described unfair,
15 unlawful and/or fraudulent practices.

16 117. Under California law, virtually any law, federal, state or local can serve as a predicate
17 for an action under Business and Professions Code § 17200. Section 17200 "borrows" violations of
18 other laws and treats them as unlawful practices independently actionable under the unfair
19 competition law. (See Smith v. State Farm Mutual Automobile Insurance Co., et al., 93 Cal.App.4th
20 700 (2001)).

21 118. Injunctive relief and/or restitution is the remedy authorized for violation of Section
22 17200. "Any person who engages, has engaged, or proposes to engage in unfair competition may be
23 enjoined in any court of competent jurisdiction. The court may make such orders or judgments,
24 including the appointment of a receiver, as may be necessary to prevent the use or employment by
25 any person of any practice which constitutes unfair competition. . .or as may be necessary to restore
26 to any person in interest any money . . .which may have been acquired by means of such unfair
27 completion." (See Business and Professions Code § 17203).

28 //

REQUEST FOR JURY TRIAL

Plaintiff requests a trial by jury.

PRAYER FOR RELIEF

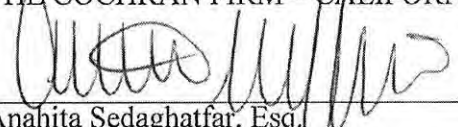
WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. For an award of compensatory damages and other special and general damages according to proof;
2. For an award of mental and emotional distress damages;
3. For an award of punitive damages;
4. For an award of interest, including pre-judgment and post-judgment interests, at the legal rate;
5. For an award of attorney fees;
6. For an award of costs of suit incurred;
7. For injunctive relief; and
8. For an award to Plaintiff for such other further relief as this Court deems just and proper.

Dated: November 2, 2018

THE COCHRAN FIRM – CALIFORNIA

By:


Anahita Sedaghatfar, Esq.
Attorney for Plaintiff, JANE DOE

SUMMONS (CITACION JUDICIAL)

SUM-100

NOTICE TO DEFENDANT: CALIFORNIA INSTITUTE OF TECHNOLOGY, a California Corporation;
(AVISO AL DEMANDADO): TECHNOLOGY, a California Corporation;
 an individual; KEVIN GILMARTIN, an individual; and DOES 1 through 100, inclusive,

FOR COURT USE ONLY
 (SOLO PARA USO DE LA CORTE)

**CONFORMED COPY
 OF ORIGINAL FILED**
 Los Angeles Superior Court

NOV 02 2018

Sherri R. Carter, Executive Officer/Clerk

By Shaunya Bolden, Deputy

**YOU ARE BEING SUED BY PLAINTIFF: JANE DOE, an individual,
 (LO ESTÁ DEMANDANDO EL DEMANDANTE):**

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
 (El nombre y dirección de la corte es):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
 STANLEY MOSK COURTHOUSE
 111 NORTH HILL STREET
 LOS ANGELES, CALIFORNIA 90012

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

ANAHITA SEDAGHATFAR, ESQ. (SBN 217289)

Tel: (323) 435-8205 Fax: (323) 282-5280

THE COCHRAN FIRM - CALIFORNIA

4929 Wilshire Boulevard, Suite 1010

Los Angeles, California 90010-3800

DATE:

(Fecha)

NOV 02 2018

SHERRI R. CARTER
 Clerk, by
 (Secretario)

SHAUNYA BOLDEN, Deputy
 (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
 2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):

4. ☐ by personal delivery on (date):

Page 1 of 1

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp <div style="text-align: center;"> FILED Superior Court of California County of Los Angeles 11/02/2018 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>Shaunya Bolden</u> Deputy </div>
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		
NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE		
Your case is assigned for all purposes to the judicial officer indicated below.		CASE NUMBER: 18STCV03523

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
✓ Elaine Lu	5				

Given to the Plaintiff/Cross-Complainant/Attorney of Record

Sherri R. Carter, Executive Officer / Clerk of Court

on 11/02/2018
(Date)

By Shaunya Bolden, Deputy Clerk

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

APPLICATION

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure Section 170.6 must be made within **15** days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

COMPLAINTS

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

CROSS-COMPLAINTS

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

STATUS CONFERENCE

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

SANCTIONS

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.

Class Actions

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

***Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.

1 ANAHITA SEDAGHATFAR, ESQ. (SBN 217289)

2 **THE COCHRAN FIRM – CALIFORNIA**

3 4929 Wilshire Boulevard, Suite 1010

4 Los Angeles, California 90010-3856

5 Telephone: (323) 435-8205

6 Facsimile: (323) 282-5280

7 Attorneys for Plaintiff JANE DOE

8 **SUPERIOR COURT OF CALIFORNIA.**

9 **COUNTY OF LOS ANGELES**

10
11 JANE DOE, an individual,

12 Plaintiff,

13 Vs.

14 CALIFORNIA INSTITUTE OF
15 TECHNOLOGY; [REDACTED]

16 KEVIN GILMARTIN
17

CASE NO.:18STCV03523

**PROOF OF SERVICE OF NOTICE AND
ACKNOWLEDGEMENT OF RECEIPT – CIVIL**

POS-015

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): SBN 217289 ANAHITA SEDAGHATFAR, ESQ. THE COCHRAN FIRM 4929 WILSHIRE BOULEVARD, SUITE 1010 LOS ANGELES, CA 90010 TELEPHONE NO.: (323) 435-8205 FAX NO. (Optional): (323) 282-8280 E-MAIL ADDRESS (Optional): asedaghatfar@cochranfirm.com ATTORNEY FOR (Name): Plaintiff JANE DOE		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 NORTH HILL STREET MAILING ADDRESS: 111 NORTH HILL STREET CITY AND ZIP CODE: LOS ANGELES, CA 90012 BRANCH NAME: STANLEY MOSK COURTHOUSE		
PLAINTIFF/PETITIONER: JANE DOE, an individual DEFENDANT/RESPONDENT: Calif Institute of Technology; [REDACTED], Kevin Gilmartin		
NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER: 18STCV03523


TO (insert name of party being served): MOEZ KABA, ESQ. For CALIFORNIA INSTITUTE OF TECHNOLOGY

NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: December 21, 2018

 ANAHITA SEDAGHATFAR, ESQ.
 (TYPE OR PRINT NAME)


 (SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of (to be completed by sender before mailing):

1. ☒ A copy of the summons and of the complaint.
 2. ☐ Other (specify):

Notice of Case Assignment - Unlimited Civil Case

(To be completed by recipient): January 10, 2019

Date this form is signed:

MOEZ KABA, ESQ. For Calif Inst of Technology
 (TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
 ON WHOSE BEHALF THIS FORM IS SIGNED)


 (SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
 ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 523 West 6th Street, Suite 400, Los Angeles, CA 90014.

On January 10, 2019, I caused to be served the foregoing document(s) described as: **NOTICE AND ACKNOWLEDGMENT OF RECEIPT (California Institute of Technology)** on the interested parties in this action as stated below:

Anahita Sedaghatfar
The Cochran Firm
4929 Wilshire Blvd., Suite 1010
Los Angeles, CA 90010

☒ (BY PERSONAL SERVICE) I caused a true copy of the foregoing document(s) to be placed in a sealed envelope and delivered by hand to the offices of each interested party at the above addressee(s) via messenger.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 10, 2019, at Los Angeles, California.

Debi Del Grande
(Type or print name)

(Signature)

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to this action. My business address is: The Cochran Firm – California, 4929 Wilshire Boulevard, Suite 1010, Los Angeles, California 90010.

On January 11, 2019, I served true copies of the following document(s):

**PROOF OF SERVICE OF NOTICE AND ACKNOWLEDGEMENT
OF RECEIPT – CIVIL**

By the method(s) indicated below, on the interested parties in this action by placing true copies enclosed in a sealed envelope addressed as follows or as shown on the attached Service List:

Moez M. Kaba, Esq. Hueston Hennigan, LLP Attorney at Law 523 West 6 th Street, Ste. 1400 Los Angeles, CA 90014 Telephone: (213) 788-4543 mkaba@hueston.com	<i>Attorneys for Defendants California Institute of Technology and Kevin Gilmartin</i>
--	--

☒ BY U.S. MAIL: I placed the sealed envelope, with postage fully prepaid, for collection and mailing at The Cochran Firm in Los Angeles, California, following ordinary business practices. I am readily familiar with the Firm's practice for collection and processing of correspondence for mailing with the United States Postal Service, and under that practice the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business.

☐ BY FAX: I transmitted the foregoing document by facsimile transmission from (323) 282-5280 to the facsimile number of the addressee as noted above or in the attached Service List. The transmission was reported as complete and without error on the transmission report, which was properly issued by the transmitting facsimile machine.

☐ BY ELECTRONIC TRANSMISSION: I transmitted the foregoing document by e-mail to the e-mail address of the addressee as noted above or in the attached Service List.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 11, 2019, at Los Angeles, California.


BETTY J. SYKES

1 ANAHITA SEDAGHATFAR, ESQ. (SBN 217289)

2 **THE COCHRAN FIRM – CALIFORNIA**

3 4929 Wilshire Boulevard, Suite 1010

4 Los Angeles, California 90010-3856

5 Telephone: (323) 435-8205

6 Facsimile: (323) 282-5280

7 Attorneys for Plaintiff JANE DOE

8 **SUPERIOR COURT OF CALIFORNIA.**

9 **COUNTY OF LOS ANGELES**

10
11 JANE DOE, an individual,

12 Plaintiff,

13 Vs.

14 CALIFORNIA INSTITUTE OF
15 TECHNOLOGY; [REDACTED]

16 KEVIN GILMARTIN
17

CASE NO.:18STCV03523

**PROOF OF SERVICE OF NOTICE AND
ACKNOWLEDGEMENT OF RECEIPT – CIVIL**

TO (insert name of party being served): MOEZ KABA, ESQ. For KEVIN GILMARTIN

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

{TYPE OR PRINT NAME}

(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

Notice of Case Assignment - Unlimited Civil Case

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)

(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 523 West 6th Street, Suite 400, Los Angeles, CA 90014.

On January 10, 2019, I caused to be served the foregoing document(s) described as: **NOTICE AND ACKNOWLEDGMENT OF RECEIPT (Kevin Gilmartin)** on the interested parties in this action as stated below:

Anahita Sedaghatfar
The Cochran Firm
4929 Wilshire Blvd., Suite 1010
Los Angeles, CA 90010

☒ (BY PERSONAL SERVICE) I caused a true copy of the foregoing document(s) to be placed in a sealed envelope and delivered by hand to the offices of each interested party at the above addressee(s) via messenger.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 10, 2019, at Los Angeles, California.

Debi Del Grande
(Type or print name)

(Signature)

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to this action. My business address is: The Cochran Firm – California, 4929 Wilshire Boulevard, Suite 1010, Los Angeles, California 90010.

On January 11, 2019, I served true copies of the following document(s):

**PROOF OF SERVICE OF NOTICE AND ACKNOWLEDGEMENT
OF RECEIPT – CIVIL**

By the method(s) indicated below, on the interested parties in this action by placing true copies enclosed in a sealed envelope addressed as follows or as shown on the attached Service List:

Moez M. Kaba, Esq.
Hueston Hennigan, LLP
Attorney at Law
523 West 6th Street, Ste. 1400
Los Angeles, CA 90014
Telephone: (213) 788-4543
mkaba@hueston.com

*Attorneys for Defendants California Institute
of Technology and Kevin Gilmartin*

☒ BY U.S. MAIL: I placed the sealed envelope, with postage fully prepaid, for collection and mailing at The Cochran Firm in Los Angeles, California, following ordinary business practices. I am readily familiar with the Firm's practice for collection and processing of correspondence for mailing with the United States Postal Service, and under that practice the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business.

☐ BY FAX: I transmitted the foregoing document by facsimile transmission from (323) 282-5280 to the facsimile number of the addressee as noted above or in the attached Service List. The transmission was reported as complete and without error on the transmission report, which was properly issued by the transmitting facsimile machine.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 11, 2019, at Los Angeles, California.


BETTY J. SYKES